IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA Richmond Division

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) Civil Action No. 3:09CV679–HEH
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<u>ORDER</u>

THIS MATTER is before the Court on Report and Recommendation ("R&R") of the Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B). For the reasons stated in the accompanying Memorandum Opinion, Plaintiff's Objections to the R&R are OVERRULED. Accordingly, the R&R (Dk. No.15) is ADOPTED; Plaintiff's Motion for Summary Judgment (Dk. No. 9) is DENIED; Plaintiff's Motion to Remand (Dk. No. 10) is DENIED; Defendant's Motion for Summary Judgment (Dk. No. 14) is GRANTED; and the decision of the Commissioner is AFFIRMED.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

Henry E. Hudson
United States District Judge

Date: Mark 23 2011
Richmond, VA